

## Herbert Hoover and the FBI

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# Herbert Hoover and the FBI

KENNETH O'REILLY

RECENT REVISIONIST SCHOLARSHIP on Herbert Hoover, often intended to clarify the nature of Hoover's conservatism, has for the most part emphasized his principled commitment to liberty and his prophetic warnings about the rise of what would become known as the military-industrial complex. Conspicuously absent from this revisionist scholarship, however, is any serious assessment of Hoover's relationship with the Federal Bureau of Investigation (formerly the Bureau of Investigation and hereafter referred to as the FBI) — a government bureaucracy that for much of the recent past rarely has been troubled by legal or constitutional constraints and has evidenced support of the ideological goals of the so-called national security state. An analysis of the Hoover-FBI relationship can add to the ongoing debate over the nature of Hoover's conservatism by qualifying his recently entrenched reputation as a man driven not by partisanship or expediency but by uncompromising principles.

The revisionist rehabilitation of Hoover, a man systematically maligned by liberal historians and others who gave his

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name to those wretched places where the victims of the Great Depression gathered to live, is by now familiar to most students of twentieth-century America.<sup>1</sup> The dour conservative who was convinced that many Depression-era indigents had quit their jobs for the more profitable career of selling apples on New York City street corners has been transformed by some left-of-center historians into a compassionate, reform-minded progressive. Dismissing the New Deal liberals' caricature of Hoover as a president immobilized by a cold-blooded ideology, the proponents of this new analysis contend that Hoover simply refused to put the United States on the road to fascism. Later, during the Cold War, Hoover and other principled conservatives opposed further extension of state power by challenging the wisdom of open-ended military spending and global commitments to contain revolutionary change.<sup>2</sup>

Hoover may have been "subversive of upper class interests," as William Appleman Williams and other historians contend. "He 'railed,' "at times,

against the "political bankruptcy" of both major parties; repeatedly remarked that "the only trouble with capitalism is capitalists. They're too damned greedy"; . . . disliked Churchill and Hitler — as well as Stalin — for all the right reasons; and said bluntly and publicly during World War I that the central evil of "unbridled individualism" is "the lack of responsibility in the American individual to the people as a whole."<sup>3</sup>

Williams' additional assertion that Hoover's civil liberties record

1. For critical reviews of the new literature, see Arthur M. Schlesinger, Jr., "Hoover Makes a Comeback," *New York Times Review of Books*, 8 March 1979, 10-16; Patrick G. O'Brien and Philip T. Rosen, "Hoover and the Historians: The Resurrection of a President," *The Annals of Iowa* 46 (1981), 25-42, 83-99.

2. Hoover, of course, maintained that the New Deal was fascist. See Herbert Hoover, *Memoirs*, 3 vols. (New York, 1952), vol. 3, *The Great Depression, 1929-1941*, 195, 420-439; Donald J. Mrozek, "Progressive Dissenter: Herbert Hoover's Opposition to Truman's Overseas Military Policy," *The Annals of Iowa* 43 (Spring 1976), 275-291; Justus D. Doenecke, *Not to the Swift: The Old Isolationists in the Cold War Era* (Lewisburg, PA, 1979).

3. Quoted in Williams' review of David Burner, *Herbert Hoover: A Public Life*, in *New Republic*, 10 March 1979, 35-36.

represented yet another example of this subversiveness, however, cannot be convincingly documented. Instead, the record of his close relationship with the FBI suggests an indifference to the democratic process all too characteristic of the men who followed Hoover into the Oval Office. Hoover, indeed, used and occasionally abused the FBI's investigative resources for political purposes. During the early Depression years, White House aides solicited from the Bureau domestic intelligence (non-criminal) reports on groups and individuals who wrote letters to the president. On other occasions, Hoover's aides requested investigations of the president's critics. Long after he left the White House, moreover, the former president continued to receive briefings and documents from FBI officials which were used to discredit his (and the Bureau's) critics.

Hoover's assistance to the FBI and its director, J. Edgar Hoover, began in 1924. At that time, while serving as secretary of commerce, Hoover recommended to Attorney General Harlan Fiske Stone that J. Edgar Hoover head the Bureau. And he made this recommendation—at the suggestion of his personal secretary, Lawrence Richey, a former Secret Service agent and "a good friend" of the FBI chief—despite J. Edgar Hoover's rather dismal civil liberties record. As the inconspicuous head of the Bureau's antiradical unit during the postwar red scare, J. Edgar Hoover had supervised the General Intelligence Division's sweeping domestic intelligence investigations, including the compilation of files on some 450,000 Communists, Socialists, and other dissidents. The Teapot Dome scandals and attendant congressional investigations that later engulfed the Justice Department prompted President Coolidge to fire Attorney General Harry Daugherty and to appoint Stone, a former dean of the Columbia Law School, as his successor. Stone, in turn, fired Bureau director William J. Burns. When Stone named J. Edgar Hoover as his new "reform" director of the thoroughly politicized Bureau, he specifically charged him to weed out the political hacks and to confine investigations to violations of federal statutes.<sup>4</sup>

4. For the General Intelligence Division surveillance, see U.S. Congress, Senate, Select Committee to Study Governmental Operations with Respect to

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Later, during Hoover's presidency, the Bureau began to service occasional requests for political information. If the FBI director did not provide these services in every case in response to direct requests (or orders) from the president, the existing documentary record indicates that at least three of Hoover's closest aides—Richey, White House secretary Walter H. Newton, and press secretary Theodore Joslin—routinely solicited Bureau assistance. This reliance on senior presidential aides was common to most of Hoover's successors, with the notable exception of Lyndon B. Johnson. During the Johnson years, White House aide Marvin Watson advised the FBI that all sensitive domestic intelligence reports should be addressed to a lower-level White House staff member. This staff member, Watson "and the President" reasoned, "did not have the direct connection with the President that he [Watson] had and, consequently, people who saw such communications would not suspicion that Watson or the President had requested such information or were instructed in such information."<sup>5</sup> Whether or not a similar conscious effort was made to insulate the president during the years Hoover occupied the Oval Office, it would be naive to conclude that Hoover's aides simply acted independently out of a misguided sense of personal loyalty when soliciting political intelligence from the Bureau.

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Intelligence Activities, "Final Report," in *Supplementary Reports on Intelligence Activities* (Book 6), 94th Cong., 2d sess., 1976, 98-101, 114. For Hoover's recommendation to Stone, see Hoover, *Memoirs*, vol. 2, *The Cabinet and the Presidency, 1920-1933*, 55, 273; Don Whitehead, *The FBI Story* (1956; reprint ed., New York, 1963), 77. Based on privileged access to Bureau files, Whitehead's quasi-official history remains a valuable source of information on the FBI. Richey, for his part, emerged as a White House "plumber" of sorts. He investigated press leaks, maintained an informal blacklist of President Hoover's critics, and was rumored to have directed an organization active in assembling derogatory information on the personal and official lives of Democratic officials. See Craig Lloyd, *Aggressive Introvert: A Study of Herbert Hoover and Public Relations Management, 1912-1932* (Columbus, OH, 1972), 180n; Memo, 2 May 1933, Louis Nichols Unserialized Official and Confidential FBI Files—Val O'Farrell (copies available in the Marquette University Library, Milwaukee, WI).

5. Quoted in Athan Theoharis, *Spying on Americans: Political Surveillance from Hoover to the Huston Plan* (Philadelphia, 1978), 179.

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FBI assistance to the Hoover White House began in November 1929 when the president received a letter from Alexander Lincoln, a Boston attorney, registered Republican, and head of the Sentinels of the Republic. A national organization founded during the postwar red scare and composed largely of wealthy patriots, the Sentinels were dedicated to opposing the spread of radicalism and the increasing centralization of power in the federal government. Lincoln and other members of the Sentinels' executive committee were troubled by Hoover's recent "appointment of a so-called Child Health Commission, supported by private funds from an undisclosed source" and mandated "to investigate matters outside of the jurisdiction of the Federal Government." Whether or not at President Hoover's direct order, Richey responded to Lincoln's letter by requesting an FBI check. Two agents of the Bureau's Washington, D.C., field office were then assigned to the "investigation." They uncovered no information beyond a few names and addresses and were forced to rely for the most part on the Sentinels' own published literature — obtained when one Bureau agent "visited" Sentinel offices "under a suitable pretext." The affair concluded on November 29 with J. Edgar Hoover's report to Richey.<sup>6</sup>

At best, the FBI probe of the Sentinels of the Republic was a crude if relatively unintrusive intelligence operation. At worst, the investigation raised the issue of the Bureau's subservience to the White House. J. Edgar Hoover rarely distinguished between legitimate national security or law enforcement information and purely political intelligence.<sup>7</sup> Instead, when submitting the

6. Lincoln to Herbert Hoover, 16 November 1929, Subject file — Sentinels of the Republic, Herbert Hoover Papers, Herbert Hoover Presidential Library, West Branch, Iowa (hereafter cited as HHP); R. E. Vetterli to J. Edgar Hoover, 21 November 1929, *ibid.*; J. Edgar Hoover to Richey, 21 November 1929, *ibid.* The Sentinels were subjected to a more systematic investigation during 1935 and 1936 by the Senate Committee to Investigate Lobbying Activities, the so-called Black Committee.

7. A notable exception involved a poem, published in the Socialist Milwaukee *Leader*, which was brought to Richey's attention by Hinton G. Clabaugh. A government prosecutor during the 1918 sedition trial of Bill Haywood and other Industrial Workers of the World leaders, Clabaugh offered the poem as evidence that the president's critics and other dissidents had

report on the Sentinels to Richey, he made an open-ended offer of assistance: "If there is anything further you want me to do in connection with this matter, and will advise me, I will give it immediate attention."<sup>8</sup> The Hoover White House never again solicited information on the Sentinels of the Republic but did request reports on other groups and individuals. Richey received two additional FBI reports the next month on the Foreign Policy Association and the American Civil Liberties Union. In contrast to the Sentinels, these groups were critical of the Hoover administration from a liberal perspective. In the spring of 1930 two more White House requests for political intelligence, on the National Association for the Advancement of Colored People and the Federation of Lictor, were channeled through the Justice Department. The report on the Federation of Lictor, which the Bureau suspected of being a front for Italian fascism, was inspired by a telegram sent by the organization to the White House in general support of the president's policies. The next year, Richey forwarded yet another request to Attorney General William D. Mitchell for a probe of the Moorish Science Temple of America. The president and apparently only member of this alleged organization, a barber from Reading, Pennsylvania, had invited President Hoover to attend a convention of the Moorish Science Temple in Chicago.<sup>9</sup>

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"overstepped the line." He specifically recommended prosecuting "in the same way that it was done in 1918, . . . the leaders of the radical element." Richey responded by forwarding Clabaugh's letter to J. Edgar Hoover. The FBI director advised the White House a week later that "no existing Federal Statute could be held to apply to matters of this kind." Clabaugh to Richey, 13 July 1932, Subject file—Poetry, HHP; J. Edgar Hoover to Richey, 20 July 1932, *ibid.*

8. J. Edgar Hoover to Richey, 21 November 1929, Subject file—Sentinels of the Republic, HHP.

9. J. Edgar Hoover to Richey, 11 December 1929, Subject file—American Civil Liberties Union, HHP; Memo, J. Edgar Hoover to Assistant Attorney General Sisson, 19 April 1930, Subject file—Colored Question, HHP; Telegram, Federazione del Littorial [Federation of Lictor] to Herbert Hoover, 18 May 1930, Foreign affairs file—Countries (Italy, Correspondence), HHP; Memo, J. Edgar Hoover to Assistant Attorney General Carusi, 23 May 1930, *ibid.*; J. G. Bey to Herbert Hoover, n. d., President's secretary's file—Moorhead-Moos, HHP; Richey to Mitchell, 10 September 1931, *ibid.*; Memo, J. Edgar Hoover to attorney general, 12 September 1931, *ibid.*

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Less frequently, J. Edgar Hoover volunteered information to the Hoover White House which suggested the subversive and violent nature of the American Communist party. These reports included an allegation of a bizarre plot to blow up the Capitol made by an informant of the Colorado Springs, Colorado, police department. This informant, a former bus company employee who "had the opportunity to travel very extensively," identified such "hot bed[s] of radicalism" as "the water front near the lower end of Manhattan," "two [St. Louis] hotels at the corner of 6th and Chestnut Streets," and "a small park near the Mexican section of Los Angeles, where agitators are allowed to talk to their hearts [*sic*] content."<sup>10</sup>

On other occasions, presidential aides requested the Bureau to investigate specific groups and individuals after receiving inquiries from third parties. One FBI report, based on "a very discreet investigation" of the obscure American Citizens Political Awakening Association, was forwarded in part by presidential secretary Walter Newton to the Minneapolis Civic and Commerce Association. The Bureau's role in compiling the report, of course, was not disclosed. Newton attributed the information to "a reliable source." A few weeks later, on February 26, 1930, J. Edgar Hoover advised Newton that the Bureau had in its possession a number of cancelled checks endorsed by an official of the Political Awakening Association. "These checks," the FBI director concluded, "in all probability, were in payment of dues or membership fees."<sup>11</sup>

ON SEVERAL OCCASIONS Bureau aid went beyond sporadic background checks or preliminary investigations. In October 1931, press secretary Theodore Joslin received a letter from Joseph R. Nutt, chairman of the board of the Union Trust Com-

10. J. Edgar Hoover to Richey, 26 August 1932, Subject file - FBI, HHP; H. D. Harper to J. Edgar Hoover, 20 August 1932, *ibid*.

11. F. J. Mann to Minneapolis Chamber of Commerce, 4 February 1930, Foreign affairs file - Countries (Italy, Correspondence), HHP; P. S. Williams to Newton, 11 February 1930, *ibid*.; Newton to J. Edgar Hoover, 15 February 1930, *ibid*.; J. Edgar Hoover to Newton, 18 February 1930, *ibid*.; J. Edgar Hoover to Newton, 26 February 1930, Subject file - American Citizens Political Awakening Association, HHP; Newton to Williams, 20 February 1939, *ibid*.



pany and treasurer of the Republican National Committee. Nutt had written to complain about a newsletter being distributed by George Menhinick of Syracuse, New York. Based in large part on information culled from the *Wall Street Journal*, Menhinick's newsletter, aptly entitled *Wall Street Forecast*, emphasized the dismal situation facing American bankers. Given the bleak economic situation, such reporting was to be expected. And the purpose of Menhinick's newsletter—to report on the general condition of banks, stocks, etc., for investment purposes—was routine. Nevertheless, Nutt described the *Wall Street Forecast* as "the most vicious thing that has yet come to my notice." He specifically requested that Menhinick be "reached." There is no evidence that Joslin, or the president, recommended a specific course of action. Whether acting unilaterally or at the direct order of Attorney General Mitchell, the FBI director "reached" Menhinick by dispatching five agents to Syracuse. "It is obvious from his present attitude," one agent later reported, "that [Menhinick] is thoroughly scared and I do not believe he will resume the dissemination of any information concerning the banks or other financial institutions." The attorney general then forwarded the Bureau report to the White House and Joslin, in turn, sent it to Nutt.<sup>12</sup>

The Menhinick affair was typical of the FBI's assistance to the Hoover White House. A more serious—if ultimately understandable—abuse of FBI investigative resources occurred when the Navy League of the United States publicly challenged the president's defense policies. Founded in 1903 as a civilian society (Navy regulations barred officers from engaging in any type of propaganda activity), the Navy League had a dual mission: On the one hand, Navy League activists worked to educate Americans on the connection between sea power and their nation's new international responsibilities. On the other hand, they actively lobbied for increased naval expenditures. Navy League membership consisted of a predictable mixture of super-patriots, former Navy officers, the rank and file of the

12. Nutt to Joslin, 6 October 1931, President's secretary's file—Menhinick, HHP; Memo, J. Edgar Hoover to attorney general, 10 October 1931, *ibid.*; Joslin to Nutt, 13 October 1931, *ibid.*

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New York Naval Militia, other state and local civilian organizations, and businessmen from the ship building, munitions, and armor plate industries.<sup>13</sup>

President Hoover's confrontation with the Navy League began in late August 1929 when he was preparing for a naval arms limitation conference to be held the next year in London. Concerned about the strength of the "big Navy lobby" and its vocal opposition to the London conference, Hoover sought to discredit the League and thus generate public support for his arms limitation initiatives. An opportunity arose when the press began reporting the activities of a former Navy League lobbyist, William B. Shearer. An unsavory character on whom Scotland Yard and the Sûreté Général maintained active dossiers, Shearer had attended the earlier Geneva naval conference of 1927 in the employ of the big three United States ship builders—Bethlehem Shipbuilding Company, Newport News Shipbuilding and Dry Dock Company, and American Brown Boveri Electric Corporation. In Geneva, Shearer entertained lavishly, spread rumors, and reportedly attempted to bribe congressmen. Later, he sued the big three for failing to pay his expenses and fees for services rendered. After the press began publicizing the Shearer affair in late August 1929, Hoover directed the FBI to make a discreet inquiry and publicly called for a congressional investigation.<sup>14</sup>

As Hoover wrote to Secretary of State Henry L. Stimson, he expected the Shearer affair to serve as "a useful public example."<sup>15</sup> The affair, indeed, seemed to justify the charge that pacifist congressmen and other had been raising for nearly two decades: that the Navy League membership and directorship had a financial stake in naval construction. The big Navy lobby, however, refused to wither away. When a second public confrontation erupted between the League (sans Shearer) and the president in the fall of 1931, Hoover again—in the approv-

13. For a general history of the League see Armin Rappaport, *The Navy League of the United States* (Detroit, 1962).

14. For Shearer, see John E. Wiltz, *In Search of Peace: The Senate Munitions Inquiry, 1934-1936* (Baton Rouge, 1963), 8-9.

15. Quoted in David Burner, *Herbert Hoover: A Public Life* (New York, 1979), 291.

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ing words of Senator Arthur Capper — “went after this outfit.”<sup>16</sup>

President Hoover might have had a legitimate reason for concern during the Shearer controversy. The issue in 1931, in contrast, was more political. In September Hoover had proposed drastic cuts in the naval building program and its complete elimination by 1933. Such frugality would help balance the budget and provide a relatively safe gesture on behalf of world peace. In contrast to the president, Navy League activists, as always, saw war on the horizon. In response to Hoover’s decision, then, Navy League president William H. Gardiner charged that a secret deal had been struck with the British prime minister, Ramsay MacDonald, prior to the London conference of 1930. To support this charge, Gardiner noted Hoover’s refusal “to allow even an executive session of the Senate Foreign Relations Committee to see the full record of its [the administration’s] negotiations preparatory to the . . . conference.” Gardiner’s indictment, published by the Navy League as a sixteen-page brochure entitled *The President and the Navy* and distributed to the press, select congressmen, and senior Navy officers, also accused Hoover of “abysmal ignorance.” The booklet stopped just short of raising the specter of treason.<sup>17</sup>

The White House responded by directing the FBI to investigate the president’s critics. On at least five occasions in late October and early November 1931, FBI director Hoover forwarded biographical data and other information on Navy League activists to presidential secretary Richey. The White House learned, for instance, that Ogden Mills Reid, Henry Cabot Lodge, Jr., and other notable Americans “contribute to the League to an extent beyond that due from its regular and contributing members.” The FBI’s investigative techniques included “pretext” interviews with select officers of the League, including Gardiner. All were “confidentially approached” in such a manner that they were never “cognizant of the Bureau’s interest.” These bogus interviews, nevertheless, failed to establish the numerical membership of the League. The FBI director

16. Capper to Richey, 3 November 1931, Subject file — Navy League of the U.S. Investigation, HHP.

17. Rappaport, *Navy League*, 142, 144.

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responded to this initial failure by advising Richey that such "information is possessed by only a few persons and seems extremely difficult to obtain confidentially." Relying instead on another investigative technique, Bureau agents in New York City surmounted this problem by securing "confidential access" to an internal Navy League financial report listing the total number of dues-paying members. (Bureau agents may have obtained this League report through a mail intercept or a break in; the FBI routinely disguised illegal investigative techniques by blandly referring to "highly confidential sources," "anonymous sources," and similar terms.) Other FBI agents searched "the records of the Bureau of Internal Revenue . . . as far back as 1923 . . . [and] covering all of the districts of the United States," in a fruitless attempt to provide the Hoover White House with information it could use to discredit the League.<sup>18</sup>

One day after receiving the last of the FBI's reports, the president appointed a special committee to probe Gardiner's charges. Hoover named to this special committee Admiral Hugh Rodman and three personal friends, mining engineer John Hays Hammond, former Assistant Secretary of the Treasury Eliot Wadsworth, and Undersecretary of State William R. Castle. Although Hammond and Wadsworth were also members of the Navy League, the committee's report of November 6 highlighted the inaccuracies and distortions contained in Gardiner's original indictment. Significantly, the special committee did not probe the Navy League's membership, principally because the FBI had failed to uncover any startling information. Extensive press coverage of the Hoover-Navy League controversy, including coverage of the special committee's report, was for the most part critical of the League for insulting the president. The Navy League also suffered internal divisions over the wisdom of Gardiner's confrontational politics.<sup>19</sup>

18. J. Edgar Hoover to Richey (five letters), 30 October 1931, 30 October 1931, 30 October 1931, 31 October 1931, 2 November 1931, Subject file—Navy League of the U.S. Investigation, HHP.

19. For a sampling of press coverage of the controversy, see "Hits and Duds in the Hoover-Navy League Fight," *Literary Digest*, 14 November 1931, 8-10.

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On at least two other occasions, the Hoover administration either initiated or supported FBI investigations that rivaled the scope of the Navy League probe and its reliance on intrusive, if unspecified, investigative techniques. The farmers' strikes of 1932, for instance, were the subject of intensive FBI surveillance with J. Edgar Hoover submitting to the White House a number of reports and agents in the field sending at least twenty-four telegrams to Bureau headquarters.<sup>20</sup> The best known case, however, involved the "hunger marches" of the Depression era and in particular FBI efforts to document Communist influence among the so-called Bonus Expeditionary Force.

BEGINNING IN MAY 1930, Bureau informers began infiltrating the ranks of at least one Communist party-sponsored veterans organization. Later, in the late spring of 1932, when these and thousands of other World War I veterans began to arrive in Washington seeking congressional approval for early payment of a soldiers' bonus, the FBI escalated its surveillance. Ignoring the reports of his own agents, J. Edgar Hoover insisted that the protest was part of a Communist plot to topple the government. Agreeing with the FBI director, who assured him that the protesters were influenced by a Communist cadre, Army Chief of Staff General Douglas MacArthur prepared for war. He called up reserves, tanks, and artillery and proceeded to rout the protesting veterans at bayonet point from abandoned federal buildings and the Anacostia mud flats, where the government had earlier given the veterans permission to camp. Ironically, the handful of Communist organizers participating in the protest were meeting in a church in another part of the city at the time of MacArthur's raid. MacArthur, moreover, ignored President Hoover's direct order to stop at the Anacostia River Bridge. Rather than disciplining the insubordinate general, however, the president publicly supported his actions in the interest of executive branch unity. Hoover instead denounced the veterans as ex-criminals and Communists, basing his contention on the reports of J. Edgar Hoover and the FBI's cursory investigation of some two thousand bonus marchers. Despite the

20. See Cabinet Offices file — Justice Department (Farmers' Strike), HHP.

Bureau's assistance, Hoover failed to document his charges and the Bonus affair emerged during the subsequent campaign as a serious liability for the president.<sup>21</sup>

Hoover continued to support and to receive favors from the FBI after his defeat in the 1932 presidential election. Once, in 1933, when it was widely rumored that President-elect Roosevelt would fire the FBI director, Hoover lobbied for J. Edgar Hoover and even put in a good word for his friend when riding with Franklin Roosevelt from the inaugural ceremonies.<sup>22</sup> With Roosevelt in the White House, however, Hoover found himself on the other side of the fence: The FBI occasionally reported to the Roosevelt administration on the former president's political activities. In July 1940, Roosevelt specifically directed the Bureau to investigate Hoover and Richey after receiving a tip from newspaper columnist Marquis Childs. Childs told Roosevelt that Hoover and Richey, when attending the recent Republican National Convention, had sent cablegrams to Vichy France. These communications, Childs surmised, were intended to elicit a statement from Pierre Laval, the former French premier and at that time a Nazi collaborator, indicating that Roosevelt had already made "definite commitments" to send United States soldiers abroad. Assistant Secretary of State Adolf A. Berle, Jr., in turn, relayed President Roosevelt's request for an investigation to Edward A. Tamm, an FBI assistant director. The president wanted to know the exact contents of the Hoover-Richey cablegrams. Bureau agents responded by checking with every trans-Atlantic communication company in New York City, but failed to locate any record of the alleged cablegrams.<sup>23</sup>

Thereafter, Hoover may have been kept under some type of surveillance. In February 1941, the FBI director sent a report to the White House detailing the former president's luncheon

21. David Williams, "Failed Reform: FBI Political Surveillance, 1924-1936," *First Principles*, September/October 1981, 3; Hoover, *Great Depression*, 226. See also Donald J. Lisio, *The President and Protest: Hoover, Conspiracy, and the Bonus Riot* (Columbia, MO, 1974).

22. Whitehead, *FBI Story*, 107.

23. Memos, Tamm to J. Edgar Hoover, 2 July 1940, 10 July 1940, Herbert Hoover file, Nichols Official and Confidential FBI Files.

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conversation with the British ambassador, Lord Halifax, regarding Winston Churchill's opposition to Hoover's proposed plan to ship food and other supplies to unoccupied areas of France.<sup>24</sup> The full extent of the FBI's surveillance of Hoover and concomitant dissemination to the White House of information detailing his activities is not known. J. Edgar Hoover and other FBI officials were clearly willing to ingratiate themselves with any incumbent president. These FBI officials nonetheless often acted according to their own political priorities—regardless of whoever happened to occupy the White House—and thus continued to cooperate with the conservative Herbert Hoover.

When responding to a specific request from Hoover in February 1946, for example, J. Edgar Hoover sent the former president "blind" memoranda (without identifying FBI letterhead) outlining the alleged Communist party connections of Michael Sayers and Albert E. Kahn. Sayers and Kahn had recently published what Hoover considered to be a "new defamation book."<sup>25</sup> A few months later, the FBI director advised Hoover that he had come across "some more information concerning the biography which is being prepared about you." Apparently, J. Edgar Hoover had already briefed the former president on this subject. And in 1957 Hoover received a classified FBI monograph entitled "Communism Versus the Jewish People."<sup>26</sup>

24. J. Edgar Hoover to Edwin Watson, 8 February 1941, #634, Official File 10-B, Franklin D. Roosevelt Presidential Library, Hyde Park, New York. Churchill was also the subject of an FBI report: The Bureau informed the Roosevelt White House on the prime minister's drinking habits. Memo, 29 March 1943, FBI Reports (Misc. 1943), Harry Hopkins Papers, Roosevelt Library. Roosevelt, who suspected Hoover of supplying Axis propagandists with material, also ordered Federal Communications Commission chairman James Fly in September 1941 to prepare a report on the former president. Having failed to document Roosevelt's suspicions, Fly nonetheless promised to keep trying. Richard W. Steele, "Franklin D. Roosevelt and His Foreign Policy Critics," *Political Science Quarterly* 94 (Spring 1979), 23.

25. Herbert Hoover to J. Edgar Hoover, 7 February 1946, Post-presidential papers—Individual, HHP; J. Edgar Hoover to Herbert Hoover, 15 February 1946, *ibid.*; Michael Sayers and Albert E. Kahn, *The Great Conspiracy: The Secret War Against Soviet Russia* (Boston, 1946).

26. J. Edgar Hoover to Herbert Hoover, 25 July 1946, 20 February 1957, Post-presidential papers—Individual, HHP.

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When forwarding such information from Bureau files to the former president, J. Edgar Hoover was not simply providing a service for an old friend. He fully expected Hoover, still a formidable public spokesman, to publicize the information received, particularly if it could be used to document the subversiveness of American Communists and other dissidents. Perhaps the most explicit example of this involved FBI officials' successful efforts to enlist Hoover in their campaign to "neutralize" the Fund for the Republic. A non-profit educational corporation established by the Ford Foundation in 1952, the Fund was headed by such noted liberals as Paul G. Hoffman, Chester Bowles, Erwin N. Griswold, and W. H. Ferry. The organization's priorities included distributing books, pamphlets, and films and awarding outright grants to individuals and organizations committed to fighting racism and McCarthyism.<sup>27</sup> The Fund became a priority "target" of an informal FBI counterintelligence operation in 1955 when it hired liberal Catholic activist John Cogley, of the Catholic Worker movement and *Commonweal*, to write a report on entertainment industry blacklisting. Of even greater interest to senior Bureau officials was the Fund's recent award of a \$25,000 grant to the Stanford Law School to study the testimony of four ex-Communist government witnesses—FBI informers Elizabeth Bentley, Whittaker Chambers, John Lautner, and Louis F. Budenz.

The FBI's allies responded quickly. The House Committee on Un-American Activities launched a preliminary staff investigation while Fulton Lewis, Jr., began a series of radio broadcasts demanding an Internal Revenue Service audit of the Fund's tax exempt status. Both the House Committee and Lewis were frequent recipients of derogatory political and personal information leaked from the Bureau's "confidential" files. Other media confreres with access to the FBI archives joined the assault including George Sokolsky, Westbrook Pegler, David Lawrence, Walter Trohan, Paul Harvey, and Frederick Woltman. As part of this drive to discredit the Fund for the Republic, FBI director Hoover sent Herbert Hoover, then a

27. For the Fund, see Frank K. Kelly, *Court of Reason: Robert Hutchins and the Fund for the Republic* (New York, 1981).



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Stanford University trustee, a seventeen-page blind memorandum itemizing the alleged subversiveness of the Fund's officers. This leak to Hoover was part of a careful strategy generated only after one of the FBI director's top aides met with Lawrence Richey.<sup>28</sup>

Bureau objectives, moreover, were quite clear. The Stanford Law School had accepted the award from the Fund without consulting university trustees. By supplying Hoover with derogatory information on Fund officials, the FBI hoped that the former president could convince his fellow trustees to disassociate Stanford from this particular Fund project. Georgetown University and a number of other eastern universities, after all, had rejected the project before Stanford Law School finally accepted it. Hoover did convince the trustees to "examine" the award and an investigation was launched into the circumstances surrounding its acceptance. The trustees, however, apparently overruled Hoover. The grant from the Fund was not returned and the project was eventually completed, in 1962, under the direction of Stanford law professor Herbert L. Packer.<sup>29</sup> By that time, the Fund had changed its name to the Center for the Study of Democratic Institutions and was no longer a politically adventuresome foundation.

The symbiotic relationship between the former president and the FBI director can explain in part Hoover's willingness to enlist in the Bureau campaign to discredit the Fund for the Republic. Of perhaps more importance was Hoover's more than passing interest in the credibility of the FBI's informers. He had become increasingly defensive, for instance, about his own role in the bonus riot of 1932. This controversy surfaced again in the early 1950s after Harry S. Truman fired General MacArthur for insubordination. When attempting to document his assertion that the bonus army was led by Communists, Hoover relied almost exclusively on the recent revelations of FBI informers

28. J. Edgar Hoover to Herbert Hoover, 8 September 1955, Post-presidential papers—Individual, HHP; Memo, Re: Fund for the Republic, 6 September 1955, *ibid*.

29. Herbert L. Packer, *Ex-Communist Witnesses: Four Studies in Fact Finding* (Stanford, 1962).

Benjamin Gitlow and John T. Pace. J. Edgar Hoover, of course, shared this concern. In 1951, when the former president was completing his memoirs, the Bureau director sent Hoover a copy of Pace's recently-released executive session testimony before the House Committee on Un-American Activities. "This testimony," the FBI director advised, ". . . certainly would justify your action during those hectic days."<sup>32</sup>

Despite his willingness at times to embrace FBI informers' vision of a world under siege and his role in a number of questionable FBI domestic intelligence investigations, ranging from the probe of the Sentinels of the Republic in 1929 to the effort to discredit the Fund for the Republic in 1955, Hoover's civil liberties record remains ambivalent. As president, his use and abuse of the FBI was circumspect — especially when compared with the more systematic exploitation of the Bureau's domestic intelligence activities by Presidents Roosevelt, Truman, Eisenhower, Kennedy, Johnson, and Nixon. If Hoover responded to the pressures of the Great Depression by ordering FBI investigations of lawful political activity, he never considered institutionalizing the Bureau's federal surveillance role. Had his abuse of the FBI been publicized by contemporaries, probably no grand claims of "inherent executive authority" would have emanated from Hoover's Oval Office. And although the FBI began to assume some additional duties during Hoover's presidency, including the gathering of uniform crime statistics and the compilation of a national fingerprint file, Hoover remained a "states' righter" on the crime issue and saw no need to create an internal security Cerberus. When Hoover left the White House the FBI remained a relatively obscure division within the Department of Justice employing 266 special agents and 60 accountants. Under the Democratic administrations of Roosevelt and Truman, in contrast, the Bureau's annual budget increased from a modest \$3 million to over \$70 million.<sup>31</sup>

During the Cold War, moreover, Hoover never consistently embraced the messianic anti-Communism favored by those

30. J. Edgar Hoover to Herbert Hoover, 16 July 1951, Post-presidential papers — Individual, HHP; Hoover, *Great Depression*, 230-232.

31. Whitehead, *FBI Story*, 107.

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who held that the United States Constitution should not be allowed to hinder the search for subversives. While Hoover then doubted whether "there are any consequential card-carrying communists in the Government," he nonetheless believed "that there are men in Government (not Communists) whose attitudes are such that they have disastrously advised on policies in relation to Communist Russia." For this reason alone, he supported, during the McCarthy era, "a wide spread [congressional] inquiry into the past and present of such men."<sup>32</sup> Hoover was certainly opposed to intrusive government intervention in the economy or in the private lives of American citizens—or at least those Americans who could think straight "in relation to Communist Russia." Similarly, he warned the nation, in 1934, about the dangers of government bureaucracies and their tireless efforts to exploit "the radio, the platform, and the press" in order to propagate "one point of view," transform "the nation's mentality," and destroy "its independent judgment."<sup>33</sup> But this warning did not stop Hoover from cooperating with the FBI or enlisting in at least one Bureau campaign, against the Fund for the Republic, designed to mobilize "the radio, the platform, and the press."

Hoover's sensitivity to the fragility of civil liberties, in short, was sometimes compromised by expediency, partisanship, and a belief that radical demands for social change or even the policies advocated by rival Democrats were somehow subversive. Clearly, at least in the realm of civil liberties, Herbert Hoover hardly deserves his reputation as a principled conservative unwilling to compromise his commitment to liberty and constitutional freedoms.

32. Hoover to Truman, 26 November 1950, Official file 2750-A, Harry S. Truman Presidential Library, Independence, Missouri.

33. Herbert Hoover, *The Challenge to Liberty* (New York, 1934), 135-136.

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